

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**CHASE CARMEN HUNTER,**

**Plaintiff,**

**vs.**

**Case No.: 2:15-cv-2607**

**JUDGE SMITH**

**Magistrate Judge Deavers**

**MARY TAYLOR, DIRECTOR,  
OHIO DEPARTMENT OF  
INSURANCE, et al.,**

**Defendants.**

**ORDER**

On October 8, 2015, the United States Magistrate Judge issued an *Initial Screen Report and Recommendation* recommending that Plaintiff's claim against Defendant Ohio Department of Insurance be dismissed for failure to state a claim upon which relief may be granted. (*See Report and Recommendation*, Doc. 15). The parties were advised of their right to object to the *Report and Recommendation*. This matter is now before the Court on Plaintiff's Objections to the *Report and Recommendation*. (*See* Doc. 16). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

The objections present the same issues presented to and considered by the Magistrate Judge in the *Report and Recommendation*. Plaintiff objects to the Magistrate Judge's conclusion that his Complaint fails to state a claim. He then proceeds to assert the same claims addressed in the Complaint and make the same arguments discussed in the motion to dismiss briefing. All of which have been carefully considered by the Magistrate Judge. Therefore, for the reasons stated

in the *Report and Recommendation*, this Court finds that Plaintiff's objections are without merit and are hereby **OVERRULED**.

The *Initial Screen Report and Recommendation*, Document 15, is **ADOPTED** and **AFFIRMED**. Plaintiff's claims against Defendant Ohio Department of Insurance are therefore dismissed for failure to state a claim. Further, Plaintiff's claims against Defendant Mary Taylor are also dismissed. Plaintiff was given the opportunity to appeal the Superintendent of Insurance's Order revoking her non-resident insurance agent license. However, she failed to do so, therefore, failing to exhaust her administrative remedies. Further, this Court lacks subject matter jurisdiction over Plaintiff's Complaint because she has failed to state that the amount in controversy exceeds \$75,000, therefore, failing to meet the requisite amount in controversy as required in diversity actions. *See* 28 U.S.C. § 1332.

Accordingly, the Initial Screen Report and Recommendation is **AFFIRMED**. Defendants Motion to Dismiss is **GRANTED**. The Clerk shall remove Documents 9 and 15 from the Court's pending motions list. The Clerk shall terminate this case.

**IT IS SO ORDERED.**

/s/ George C. Smith  
**GEORGE C. SMITH, JUDGE**  
**UNITED STATES DISTRICT COURT**